IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 815 OF 2006

Dr. Pradeep V. Parmar ....Applicant.

V/s

The State of Maharashtra ....Respondent.

Mr. Rajendra Shirodkar for the applicant.
Ms. M.M. Deshmukh, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 29th March, 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R. No. 451 of 2005 which was registered on 25/9/2005 against the applicant at Malad Police Station for the offence punishable under section 376 of the Indian Penal Code. The applicant was arrested on the same day. The charge-sheet has been filed on 15/12/2005. The applicant preferred application for bail in the Sessions Court. However, it was rejected. Thereafter, he preferred the bail application in this court on 1/2/2006. However, this application was allowed to be withdrawn and liberty was granted to the applicant to move the Sessions Court. The applicant,

thereafter, moved the Sessions Court. However, his application was rejected by the Sessions Court.

3. Brief facts are as under:-

4. It is alleged by the prosecution that the applicant had committed rape on the prosecutrix on various occasions while threatening her that he would inform about her love affair to her parents.

5. The learned Counsel appearing on behalf of the applicant submitted that there is a long unexplained delay in filing the complaint and that the story of the prosecutrix is palpably false and the applicant has been implicated in the present case. He submitted that it was unbelievable that any woman would allow herself to be used on threat given by a person that he would inform her parents about her love affair. He submitted that this was, therefore, clearly a case of consensual sex. He invited my attention to the statement of the complainant and other statements. He submitted that the perusal of these statements clearly indicate that no offence has been made out.

6. The learned APP, however, invited my attention to the affidavit filed by one B.D. Pawar, Senior

Inspector of Police in which he has given history of the present applicant. It is the case of the prosecution that the applicant had sexual intercourse with number of girls and, during the course of investigation, some CDs and Computers were seized under panchanama. The experts report regarding CDs suggested that some of these Video Clippings are of Beauty Treatment being given to a naked female by a male etc. and some files contain pornographic movies between male and female. During the course of investigation, Video Cassette having various poses, photographs of applicant accused and some of the women who have complained of rape by the applicant were found. Further, some of the girls have stated in their statements that the applicant, after recording their nude photographs and Video Clippings, used to black mail them and have forcible intercourse with them. During the course of investigation, it has also been revealed that the applicant was posing himself as a doctor of Naturopathy and was running number of Beauty Care Clinics at different places of Mumbai and Thane Districts. It was also revealed that he has seduced number of his women employees by giving threats. All these CDs were seized during the course of investigation. The statements of as many as 12 victim girls have been recorded which disclose the

role and conduct of the applicant. The applicant was also subjected to brain mapping test and the Narco Analysis Examination. Both the reports suggest that he had relationship with victim girls Kamini Mestry, Varsha Thakkar, Lata Rathod and the complainant Dimple Vadhvani.

7. Considering all this material on record, in my view, this is not a fit case for grant of bail. Application for bail is, therefore, rejected.

8. Application is accordingly disposed of.

V.M. KANADE, J.